

Calendar No. 134

103D CONGRESS
1ST SESSION

S. 273

[Report No. 103-89]

A BILL

To remove certain restrictions from a parcel of land owned by the City of North Charleston, South Carolina, in order to permit a land exchange, and for other purposes.

JULY 16 (legislative day, June 30), 1993

Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 2 (legislative day, JANUARY 5), 1993

Mr. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JULY 16 (legislative day, JUNE 30), 1993

Reported by Mr. JOHNSTON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To remove certain restrictions from a parcel of land owned by the City of North Charleston, South Carolina, in order to permit a land exchange, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REMOVAL OF RESTRICTIONS.**

4 ~~(a) IN GENERAL.—~~

1 (1) ~~IN GENERAL.~~—Subject to the condition de-
 2 scribed in paragraph (2), the Secretary of the Inte-
 3 rior shall execute such instruments as are necessary
 4 to remove the restrictions described in subsection (b)
 5 to which the parcel of land described in subsection
 6 (c) is subject.

7 (2) ~~CONDITION.~~—

8 (A) ~~EXCHANGE.~~—The condition referred
 9 to in paragraph (1) is that the City of North
 10 Charleston, South Carolina, exchange the parcel
 11 for—

12 (i) another parcel to be used as a
 13 park or recreation area; and

14 (ii) such sums as are necessary to
 15 equalize the values of the parcels ex-
 16 changed.

17 (B) ~~USE OF EQUALIZING SUMS.~~—Any
 18 sums received by the City pursuant to subpara-
 19 graph (A)(ii) shall be used only for park or
 20 recreation purposes.

21 (b) ~~RESTRICTIONS.~~—

22 (1) ~~IN GENERAL.~~—Except as provided in para-
 23 graph (2), the restrictions referred to in subsection
 24 (a)(1) are those reservations, exceptions, restric-
 25 tions, conditions, and covenants described in the

1 Quitclaim Deed of the United States to the City of
 2 North Charleston, South Carolina, dated August 9,
 3 1978 (Deed Books of Charleston County, South
 4 Carolina, book T116, page 318).

5 (2) EXCEPTION.—The restrictions referred to
 6 in subsection (a)(1) shall not include the mineral
 7 rights that are retained by the United States under
 8 the deed described in paragraph (1).

9 (c) DESCRIPTION OF LAND.—The parcel of land re-
 10 ferred to in subsection (a)(1)—

11 (1) consists of approximately 21.60 acres;

12 (2) is located in Charleston County, South
 13 Carolina; and

14 (3) is described on page 318 of book T116
 15 of the Deed Books of Charleston County, South
 16 Carolina.

17 **SECTION 1. REMOVAL OF DEED RESTRICTIONS.**

18 (a) *IN GENERAL.*—Subject to the terms and conditions
 19 set forth in subsection (b), the Secretary of the Interior
 20 (hereinafter referred to as the “Secretary”) shall execute
 21 such instruments as are necessary to remove the deed re-
 22 strictions described in subsection (c), in order to allow the
 23 city of North Charleston, South Carolina (hereinafter re-
 24 ferred to as the “city”) to enter into a land exchange.

1 (b) *TERMS AND CONDITIONS.*—*The Secretary shall re-*
 2 *move the deed restrictions described in subsection (c) on the*
 3 *condition that—*

4 (1) *the city exchange the parcel of land described*
 5 *in subsection (d) for another parcel of land to be sub-*
 6 *ject to the same restrictions, exceptions, reservations,*
 7 *conditions, and covenants described in subsection (c),*
 8 *and encumbered by a reversionary interest to be held*
 9 *by the United States to be exercised, at its option,*
 10 *should all or any portion of such parcel cease to be*
 11 *used for public park or recreational purposes;*

12 (2) *the city convey all mineral interests to the*
 13 *United States in the parcel received by the city pur-*
 14 *suant to the land exchange referred to in paragraph*
 15 *(1); and*

16 (3) *the city receive such sums as are necessary*
 17 *to equalize the values of the parcels exchanged: Pro-*
 18 *vided, That any sums received by the city pursuant*
 19 *to this paragraph shall be used by the city only for*
 20 *public park or recreation purposes.*

21 (c) *DEED RESTRICTIONS.*—*The deed restrictions re-*
 22 *ferred to in paragraphs (a) and (b) are those restrictions,*
 23 *exceptions, reservations, conditions, and covenants de-*
 24 *scribed in the Quitclaim Deed of the United States to the*
 25 *City of North Charleston, South Carolina, dated August 9,*

1 1978 (*Deed Books of Charleston County, South Carolina,*
2 *on page 318 of book T116*).

3 (d) *LAND DESCRIPTION.*—*The parcel of land referred*
4 *to in subsection (a) consists of approximately 21.6 acres*
5 *in Charleston County, South Carolina, as described on page*
6 *318 of book T116 of the Deed Books of Charleston County,*
7 *South Carolina.*